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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/869,205	09/17/2001	David Sadek	136.160	9799

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EXAMINER

HOLMES, MICHAEL B

ART UNIT	PAPER NUMBER
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2121

DATE MAILED: 04/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/869,205

Applicant(s)

SADEK ET AL.

Examiner

Michael B. Holmes

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☒ Claim(s) 4-9 and 11-15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on September 17, 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 09/869,205.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____



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Examiner's Detailed Office Action

1. This action is responsive to application **09/869,205**, filed **September 17, 2001**.
2. **Claims 1-6 & 10-12** have been examined.

Information Disclosure Statement

3. Examiner acknowledges applicants' submission of prior art and information disclosure. Nevertheless, applicant is respectfully remind of the ongoing Duty to disclose 37 C.F.R. 1.56 all pertinent information and material pertaining to the patentability of applicant's claimed invention, by continuing to submitting in a timely manner PTO-1449, Information Disclosure Statement (IDS) with the filing of applicant's of application or thereafter.

Drawings Objection

4. The formal drawings have been reviewed by the United States Patent & Trademark Office of Draftperson's Patent Drawings Review. Form PTO-948 has been provided. Also, all figures need to be labeled in English, and the processes in figure 4, needs to be labeled.

Specification

5. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is required in correcting any errors of which applicant may become aware in the specification. Appropriate correction is required.

Claim Objection

6. **Claims 4-6, 11-12** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Moreover, claims 4 & 5 contain an "and" in the dependency which will need to be changed to "or."

7. **Claims 7-9 & 13-15** are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only, and/or cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the **claims 7-9 & 13-15** have not been further treated on the merits.

Claim Interpretation

8. Office personnel are to give claims their "**broadest reasonable interpretation**" in light of the supporting disclosure. *In re Morris*, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not read into the claim. *In re Prater*, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-551(CCPA

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1969). See *also *In re Zletz*, 893 F.2d 319, 321-22, 13 USPQ2d 1320, 1322(Fed. Cir. 1989) (“During patent examination the pending claims must be interpreted as broadly as their terms reasonably allow. . . . The reason is simply that during patent prosecution when claims can be amended, ambiguities should be recognized, scope and breadth of language explored, and clarification imposed. . . . An essential purpose of patent examination is to fashion claims that are precise, clear, correct, and unambiguous. Only in this way can uncertainties of claim scope be removed, as much as possible, during the administrative process.”). *see* MPEP § 2106

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

10. **Claims 1-3**, are rejected under 35 U.S.C. 102(a) as being anticipated by

David L. Martin, Adam J. Cheyer, Douglas B. Moran (hereinafter referred “*Cheyet et al.*”)

Artificial Intelligence Center SRI International, The Open Agent Architecture:

A Framework for Building Distributed Software Systems” (October 19, 1998).

Regarding claim 1:

Cheyet et al. teaches,

Implementation process of a conversational rational agent as a kernel of a dialogue system and/or as element (agent) of a multiagent system including the following stages:

definition of a conceptual architecture of a conversational rational agent, [(2.4 Agent-based Software Engineer, page 6; 3. Philosophy and Goals of OAA, page 7-9)]

formal specification of the different components of this architecture and their combination permitting a formal model to be obtained, characterized in that it also includes the stages:

definition of a software architecture implementing the formal architecture, [Figure 1; page 33, (4. Overview of OAA & 4.1 OAA System Structure, page 9-10)]

definition of implementation mechanisms of formal specification, the rational agent being suitable to converse with another agent or with a system user through whatever communications media. [Figure 1; page 33, (4. Overview of OAA & 4.1 OAA System Structure, page 9-10 & (5. Mechanisms of Cooperation & 5.1 The Interagent Communication language, page 11-13) & (6.1 Using a Blackboard Style of Communication)]

Regarding claim 2:

Cheyre et al. teaches,

Implementation process according to claim 1, characterized in that the different components of the formal model are specified in the same unified formal framework and with the same formalism. [Figure 1; page 33, (4. Overview of OAA & 4.1 OAA System Structure, page 9-10)]

Regarding claim 3:

Cheyre et al. teaches,

Implementation process according to the claim 1 or 2, characterized in that the definition

of implementation mechanisms of formal specifications is realized so as to obtain a direct correspondence between these mechanisms and aforesaid model. [Figure 1; page 33, (4. Overview of OAA & 4.1 OAA System Structure, page 9-10 & (5. Mechanisms of Cooperation & 5.1 The Interagent Communication language, page 11-13) & (6.1 Using a Blackboard Style of Communication)]

Regarding claim 10:

Cheyre et al. teaches,

Conversational rational agent placed as a kernel of a dialogue system and/or as element (agent) of a multiagent system, including:

a definition of a conceptual architecture, [(2.4 Agent-based Software Engineer, page 6;

3. Philosophy and Goals of OAA, page 7-9)]

a formal specification of the different components of this architecture and their combination permitting a formal model to be obtained, characterized in that it includes:

a definition of a software architecture implementing the formal architecture, [Figure 1; page 33,

(4. Overview of OAA & 4.1 OAA System Structure, page 8-9)]

a definition of the mechanisms for implementing the formal specifications realized by a rational unit that includes:

data comprising predefined axioms schemes and application dependent axioms schemes,

an application dependent knowledge base including a semantic network and inter-concept

distances, [(5. Mechanisms of Cooperation & 5.1 The Interagent Communication language, page 11-13)]

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an inference engine to implement the formal mechanism specifications by means of data and the knowledge base in order to be able to receive a logical statement, understand it and be able to provide a logical statement in response. [(8. The Agent Library, page, 22-23)]

Conclusion

11. The prior art made of record and (listed of form **PTO-892**) not relied upon is considered pertinent to applicant's disclosure as follows. Applicant or applicant's representative is respectfully reminded that in process of patent prosecution i.e., amending of claims in response to a rejection of claims set forth by the Examiner per Title 35 U.S.C. The patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and any objections made. Moreover, applicant or applicant's representative must clearly show how the amendments avoid or overcome such references and objections. *See 37 CFR § 1.111(c).*

Correspondence Information

12. Any inquiries concerning this communication or earlier communications from the examiner should be directed to **Michael B. Holmes** who may be reached via telephone at **(703) 308-6280**. The examiner can normally be reached Monday through Friday between 8:00 a.m. and 5:00 p.m. eastern standard time.

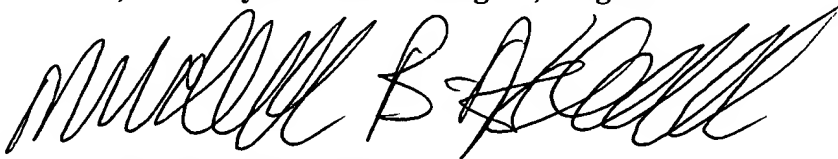
If you need to send the Examiner, a facsimile transmission regarding After Final

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issues, please send it to (703) 746-7238. If you need to send an Official facsimile transmission, please send it to (703) 746-7239. If you would like to send a Non-Official (draft) facsimile transmission the fax is (703) 746-7240. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, Anthony Knight, may be reached at (703) 308-3179.

Any response to this office action should be mailed too:

Director of Patents and Trademarks Washington, D.C. 20231. Hand-delivered responses should be delivered to the Receptionist, located on the fourth floor of **Crystal Park II, 2121 Crystal Drive Arlington, Virginia.**

A handwritten signature in black ink, appearing to read 'Michael B. Holmes', is written over a horizontal line.

Michael B. Holmes

Patent Examiner

Artificial Intelligence

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United States Department of Commerce
Patent & Trademark Office